

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ROBERT JAMES BALDERSTON,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

Case No. 10-13429

Hon. Gerald E. Rosen

Magistrate Judge Charles E. Binder

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on June 3, 2011

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

On April 11, 2011, Magistrate Judge Charles E. Binder issued a Report and Recommendation ("R & R") recommending that the Court grant the Defendant Commissioner of Social Security's motion for summary judgment and deny Plaintiff Robert James Balderston's motion for summary judgment.¹ No objections have been filed to the R & R. Upon reviewing the R & R, the parties' cross-motions for summary

¹Although the *pro se* Plaintiff captioned his submission as a "motion for summary judgment," the Defendant Commissioner accurately observes that Plaintiff's submission consists entirely of a narrative two-page letter in which he simply recounts his alleged mental impairments. As noted by Defendant, these allegations "are not new," but rather were "fully addressed" in the decision of the Administrative Law Judge ("ALJ") that is currently under review. (Defendant's Motion, Br. in Support at 13.)

judgment, and the record as a whole, the Court concurs in the analysis of the Magistrate Judge, and adopts the R & R in its entirety.

Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's April 11, 2011 Report and Recommendation is ADOPTED as the opinion of this Court.

IT IS FURTHER ORDERED that, for the reasons stated in the R & R, Defendant's motion for summary judgment (docket #16) is GRANTED, and Plaintiff's motion for summary judgment (docket #15) is DENIED.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: June 3, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 3, 2011, by electronic mail and upon Robert James Balderston, 256t 2nd Street, Beleville, MI 48111 by ordinary mail.

s/Ruth A. Gunther
Case Manager